United Nations A/AC.183/SR.316

General Assembly

Distr.: General
26 June 2009

Original: English

Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 316th meeting
Held at Headquarters, New York, on Tuesday, 19 May 2009, at 3 p.m.

Chairman: Mr. Badji ..... (Senegal)

Contents

Adoption of the agenda

The situation in the Occupied Palestinian Territory, including East Jerusalem, and developments in the political process

Report of the Chairman on the United Nations Seminar on Assistance to the Palestinian People held in Cairo on 10 and 11 March 2009

Report of the Chairman on the United Nations International Meeting in Support of Israeli-Palestinian Peace held in Nicosia on 6 and 7 May 2009

United Nations Asian and Pacific Meeting on the Question of Palestine, Jakarta, 8 and 9 June 2009, and the United Nations Public Forum in Support of the Palestinian People, Jakarta, 10 June 2009

United Nations International Meeting on the Question of Palestine, United Nations Office at Geneva, 22 and 23 July 2009

This record is subject to correction. Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

09-34238 (E)

Please recycle

The meeting was called to order at 3.15 p.m.

Adoption of the agenda

1. *The agenda was adopted.*

Update on developments since the previous meeting of the Committee

2. **The Chairman** said that, although more than US$4 billion in aid had been pledged at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza held in Sharm el-Sheikh, Egypt, on 2 March 2009, for the following two years, the money could not yet be put to work owing to the continued closure of the Territory by the occupying Power. At a press conference in Ramallah on 3 March 2009, the United States Secretary of State, Hillary Clinton, had pledged, following a visit to Israel and the Occupied Palestinian Territory, on 2 and 3 March 2009, to work resolutely towards moving the Middle East peace process forward and criticized Israel's plan to demolish Palestinian homes in East Jerusalem as "unhelpful and not in keeping with the obligations entered into under the road map".

3. On 10 and 11 March 2009, the Committee had convened the United Nations Seminar on Assistance to the Palestinian People in Cairo. On 31 March 2009, the second Summit of Arab and South American Countries had been held in Doha, Qatar. In their final declaration, the Heads of State and Government had agreed to "reaffirm the need for the materialization of the legitimate national rights of the Palestinian people, and for the implementation of Security Council resolution 1515 (2003), and the establishment of the independent Palestinian State, based on the 1967 lines, living side by side with the State of Israel, and the withdrawal of Israel from all occupied Arab territories to the lines of 4 June 1967, including the occupied Syrian Golan and what remained from the Lebanese territories and the dismantling of the settlements including those in East Jerusalem".

4. The Ministerial Meeting of the Non-Aligned Movement Coordinating Bureau had been held in Havana, Cuba, from 27 to 30 April 2009 and its Final Document had reaffirmed the position of the Non-Aligned Movement on the question of Palestine. On 29 April 2009, on the sidelines of that meeting, the Committee on Palestine of the Non-Aligned Movement had also met and adopted a declaration.

5. On 1 May 2009, the United Nations Office for Coordination of Humanitarian Affairs had stated in report that some 1,500 demolition orders were pend in East Jerusalem and that thousands more homes w at risk. Indeed, some 60,000 people, approximately quarter of the Palestinian population of East Jerusal were at risk of losing their homes. On 5 May 2009, Secretary-General had sent a summary of the report the United Nations Gaza Board of Inquiry incidents in Gaza to the Security Council.

6. On 6 and 7 May 2009, the Committee convened the United Nations International Meeting Support of Israeli-Palestinian Peace in Nico Cyprus. On 8 May 2009, the independent internatio fact-finding mission established by the United Nati Human Rights Council to investigate violations international human rights and humanitarian law in context of the recent conflict in Gaza had completed week-long meeting in Geneva. The four-mem mission, led by the former prosecutor for International Criminal Tribunals for the for Yugoslavia and Rwanda, Richard Goldstone of So Africa, had established terms of reference and a thr month programme of work. The mission intended visit affected areas of southern Israel and the Occup Palestinian Territory, including Gaza, and requested the cooperation of the Government of Isra

7. On 11 May 2009, the United Nations Secu Council had, following a ministerial meeting on situation in the Middle East, including the Palestin question, adopted a Presidential Statem (S/PRST/2009/14), stressing the urgency of reach comprehensive peace in the Middle East.

8. On 13 May 2009, Pope Benedict XVI declared at a ceremony during his visit to Bethlehem part of his first trip to the Middle East, that the H See supported the right of the Palestinian people t sovereign homeland in the land of their forefath secure and at peace with its neighbours, wit internationally recognized borders.

9. On 18 May 2009, the President of the Un States of America, Barack Obama , had received Isr Prime Minister Benjamin Netanyahu at the W House as part of a series of meetings with Middle E leaders. President Obama had reaffirmed commitment of the United States Government to a t State solution, though Mr. Netanyahu had refrai from making a clear statement on the matter. Presi

Obama had also said that progress had to be made on the settlements issue and that Israel must freeze settlement activity.

The situation in the Occupied Palestinian Territory, including East Jerusalem, and developments in the political process (Draft statement by the Committee)

10. **Mr. Mansour** (Observer for Palestine) said that no progress had been made on the ground in Gaza since the Committee's previous meeting. Indeed, since the unilateral ceasefire in January and the adoption of Security Council resolution 1860 (2009), the situation on the ground in Gaza had worsened, as a result of Israel's policies and practices. The blockade was still in force and borders were only opened and closed at Israel's whim. When the borders did open, only basic humanitarian aid was allowed to pass through, at a rate of no more than 120 truckloads per day, far fewer than the 800 truckloads per day needed to provide adequate basic humanitarian assistance for the wider needs of the Palestinian people; more than 1,000 truckloads would be necessary before the process of reconstruction could begin. Therefore, even though billions of dollars had been pledged for reconstruction at the recent meeting in Sharm el-Sheik, Israel's closure of the border crossings was preventing any implementation of the reconstruction process. The situation in the West Bank, though different, was also difficult, since Israel refused to remove any of the more than 600 checkpoints, thereby hindering the normal movement of people and goods. In Jerusalem, there had been an intensification of settlement activity, house demolitions and displacement of people; there was a danger that the process of ethnic cleansing in East Jerusalem would intensify.

11. As noted by the Chairman in his summary, a number of bodies had adopted declarations on the situation in Jerusalem at recent meetings. At the request of the Palestinian Authority, an emergency meeting of Arab foreign ministers had been convened, at which it was agreed that a high-level delegation would come before the Security Council to address the question of Jerusalem. The Committee would be kept informed in that regard. He welcomed the presence of parliamentarians at the International Meeting in Support of Israeli-Palestinian Peace in Nicosia, at which ministers had adopted a resolution to hold a special meeting of parliamentarians on the question of Jerusalem. Although the date and venue had not yet been decided, Malta had indicated that it would be willing to host the meeting. He also expressed appreciation to the Government of Indonesia for hosting the forthcoming United Nations Asian and Pacific Meeting on the Question of Palestine in Jakarta, which would also address the question of Jerusalem. The number of meetings being held on the issue indicated the extent of the international community's concern that Israel's activities in Jerusalem would jeopardize the two-State solution.

12. Two political developments — the formation of a right-wing Government following the election in Israel; and the ministerial meeting of the Security Council — were particularly noteworthy, in addition to President Obama's recent meetings with King Abdullah Bin Al Hussein of Jordan, King Abdullah Bin Abdulaziz Al Saud of Saudi Arabia, Prime Minister Netanyahu of Israel, and his forthcoming meetings with President Mubarack of Egypt and President of the Palestinian Authority Mahmoud Abbas. There was a clear global consensus that the only solution to the conflict was to establish two States, including a new Palestinian State in the areas occupied by Israel in 1967, with East Jerusalem as its capital, and to find a just and agreed solution to the refugee question on the basis of General Assembly resolution 194 (III). In order for that to happen, Israel would have to meet its obligation to freeze all settlement activities, lift the siege against the Palestinian people in Gaza, remove the checkpoints in the West Bank, and thereby change the atmosphere in the occupied territories into one more conducive to negotiations on the six final status issues: borders, Jerusalem, refugees, settlements, water and security. Currently, the Government of Israel was the only party that had not joined the consensus. At their recent meeting, when President Obama had referred to the two-State solution, Prime Minister Netanyahu had responded with a reference to Palestinian self-rule , an old proposal which was a non-starter and belonged in the past. The international community agreed that the solution was a termination of occupation, allowing a Palestinian State to be born. Over the coming weeks and months, the United States of America needed to assert its global leadership role and rise to the challenge of bringing Israel into compliance with the wishes of the international community. As Mr. Abbas had stated, the Palestinian Authority would not negotiate with the new Government of Israel until it agreed to abide by its obligations under the road map and other relevant

international agreements and demonstrated that commitment by taking practical steps to freeze all settlement activity.

13. The fifth round of internal reconciliation talks had recently been completed in Egypt and another decisive round was planned for early July 2009, which was expected to result in an agreement on the reunification of Palestinian land and the Palestinian political system, and perhaps the birth of a national unity government that could begin the process of reconstruction in Gaza and pave the way for elections before 25 January 2010.

14. Palestine welcomed the report of the Board of Inquiry and was working with the Secretary-General, the Secretariat and the Security Council to implement its conclusions, including on the issue of compensation from Israel for the damage caused to United Nations properties and for the human losses and injuries. Palestine urged all countries to encourage Israel to cooperate with the fact-finding mission of the Human Rights Council, and looked forward to the mission's conclusions and recommendations. It was incumbent upon all Member States to ensure that appropriate measures were taken to bring the perpetrators of war crimes and crimes against humanity to justice.

15. He welcomed the presidential statement of the Security Council adopted on 11 May 2009 (S/PRST/2009/14). Although additional, clearer language would have been preferred, the statement reflected the consensus of the international community in reiterating the irreversibility of the negotiations towards a two-State solution and calling upon the parties to fulfil their obligations under the road map.

16. The Palestinian Authority welcomed the visit of the Pope to Palestine and Israel, and in particular his statement that the Palestinian people deserved an independent State, with East Jerusalem as its capital. The addition of the Pope's moral power to the global consensus would hopefully make a significant contribution to the peace process.

17. Lastly, he urged the Committee to adopt the draft statement on the situation in Occupied East Jerusalem.

18. **The Chairman** introduced the draft statement setting out the Committee's position on the alarming situation in Occupied East Jerusalem; once adopted, it would be issued as a press release.

19. **Mr. Ja'afari** (Observer for the Syrian Arab Republic) proposed that the statement should be issued as a letter addressed to the Secretary-General and the President of the Security Council and all members of the Council, so that it could be discussed at the Security Council's monthly briefing on the situation in the Middle East, including the Palestinian question.

20. **The Chairman** said he took it that the Committee wished to proceed along the lines proposed by the representative of the Syrian Arab Republic.

21. *It was so decided.*

22. *The draft statement was adopted.*

Report of the Chairman on the United Nations Seminar on Assistance to the Palestinian People held in Cairo on 10 and 11 March 2009

23. **The Chairman** said that the meeting had been attended by the representatives of 68 governments, the Holy See, Palestine, 5 intergovernmental organizations, 13 United Nations agencies, 15 civil society organizations and 34 media organizations. The Committee had been represented by the Members of the Bureau or their representatives. Statements were made by Mr. Abdel Rahman Salah El-Din, Deputy Minister for Foreign Affairs of Egypt, Mr. Zakaria El-Agha of the Executive Committee of the Palestine Liberation Organization, and himself. Ms. Karen AbuZayd, Commissioner-General of the United Nations Relief and Works Agency (UNRWA), had read out a statement from the Secretary-General and given a presentation on the situation in Gaza.

24. The situation on the ground was appalling. Large numbers were dead or wounded, and the health infrastructure in Gaza and other areas of the Occupied Palestinian Territory was struggling to cope. The nature of some of the wounds and the types of weapons used were alarming. Participants stressed that impartial investigations must be conducted into such grave violations of human rights and international law, and that the individuals directly responsible must be brought to justice.

25. It was unacceptable that Palestinian militant groups had indiscriminately fired rockets towards Israeli territory. However, Israel's response to the actions of a small number of militants was vastly disproportionate. In violation of its obligations under the Fourth Geneva Convention, Israel had refused to

allow the provision of basic humanitarian assistance. Humanitarian organizations had nevertheless worked tirelessly under difficult conditions.

26. Participants had welcomed the donor community's pledge at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza to provide over $4.5 billion towards reconstruction. Israel had destroyed much of the infrastructure put in place by donors, and continued to impose restrictions on the import of materials badly needed for reconstruction.

27. A very high proportion of the population of Gaza was dependent on food aid. Participants had welcomed the assistance provided by United Nations agencies and programmes. In his closing statement, the Chairman of the Committee had called on all donors to support those organizations. Participants had noted that, while timely emergency humanitarian assistance was vital, it could not replace long-term development. Israel should lift all restrictions on the movement of individuals and goods. Efforts to promote national reconciliation and enhance the political process needed to be stepped up. Economic and social development could come about only with an end to Israel's occupation and the establishment of a viable Palestinian State existing side by side with Israel within secure and recognized borders, based on the 1967 borders, the relevant Security Council resolutions, the road map and the Arab Peace Initiative.

28. On 8 March 2009, the delegation of the Committee had met with Mr. Abdel Ahad Gamal El-Din, head of the majority group in the People's Assembly, who had been appalled by what he had seen during a visit to Gaza. He encouraged the Committee to continue to cooperate with governments that supported a just solution to the question of Palestine. The delegation had also met with Mr. Moufid Mahmoud Shehab, Minister of Legal and Parliamentary Affairs. Mr. Shehab had expressed concern over the velopments in Gaza, which called into question the peace process and the normalization of relations between Arab States and Israel. Lastly, the delegation had met with members of the Foreign Affairs Committee of the People's Assembly, who had expressed their disappointment at the failure of the United Nations, especially the Security Council, to enforce its own resolutions. They had also lamented the Security Council's preoccupation with other conflicts while it completely neglected the Palestinian issue and observed that Egyptian public opinion was critical of the United Nations for failing to enforce the two-State solution.

29. On 9 March 2009, the delegation had made a poignant visit to the Palestine Hospital, where Dr. Husam Tuqan and Dr. Yazid Hodhod had explained the types of wounds sustained by the victims of the recent Israeli military assault on the Gaza strip and the challenges posed by their treatment. On 11 March 2009, the delegation had met with Mr. Amre Moussa, Secretary-General of the League of Arab States, and with other senior officials. Mr. Moussa had briefed the delegation on efforts undertaken by the League of Arab States towards the reconstruction of the Gaza Strip and on the support provided to Egypt in its efforts to reconcile the Palestinian factions. He had stressed that the Arab Peace Initiative must be at the forefront of renewed efforts to promote peace between the Arab States and Israel.

30. The delegation had also met with Ms. Suzanne Mubarak, President of the Egyptian Red Crescent Society and First Lady, and with other senior officials of the Society. Mr. Hatem El-Gabaly, Minister of Health and Population, was also present. Ms. Mubarak had described Egypt's efforts to provide prompt humanitarian assistance to the population of Gaza during and after the Israeli offensive.

31. *The Committee took note of the report of the Chairman.*

Report of the Chairman on the United Nations International Meeting in Support of Israeli-Palestinian Peace held in Nicosia on 6 and 7 May 2009

32. **The Chairman** said that the meeting had been attended by representatives of 29 Member States, Palestine, two intergovernmental organizations, three United Nations agencies, 12 civil society organizations and 12 media organizations. The Committee had been represented by its Bureau or their representatives. Statements had been made by Mr. George Iacovou, Presidential Commissioner, on behalf of the President of Cyprus; Mr. Marios Garoyian, President of the House of Representatives of Cyprus; Mr. Taye-Brook Zerihoun, Special Representative of the United Nations, on behalf of the Secretary-General; Mr. Abdullah Abdullah, Member of the Palestinian Legislative Council, on behalf of the President of the

Palestinian Authority; Ms. Elissavet Papadimitriou, Vice-President of the Hellenic Parliament; and himself.

33. The theme of the meeting was "Action by European, Arab and other parliamentarians and their umbrella organizations for Israeli-Palestinian peace". Participants had emphasized the role of parliaments in shaping public opinion, formulating policy guidelines and upholding international legitimacy in support of a comprehensive, just and lasting solution to the question of Palestine. In the plenary sessions, experts had discussed the prospects for the resumption of a genuine peace process in the wake of the military assault on Gaza and the role of parliamentarians in the new political landscape. Speakers had explored areas where parliamentarians could make a difference, notably by raising awareness and coordinating their efforts at the national, regional and international levels.

34. In their concluding statement, participants had expressed serious concern about the deterioration of the situation in the Occupied Palestinian Territory, including East Jerusalem. They had also expressed concern about the future of the peace process, and urged the new Government of Israel to declare its support for a two-State solution. They had commended Arab and European parliamentarians who had been among the first on the ground in Gaza, and encouraged parliamentarians to continue to focus on the issue. They had expressed alarm at home demolitions and confiscations in East Jerusalem and endorsed a proposal to convene a special conference of parliamentarians on Jerusalem.

35. The delegation of the Committee had been received by Mr. Dimitris Christofias, President of Cyprus, who had pledged that his country would work within the European Union to achieve justice and freedom for all people in the Mediterranean region. The question of Palestine constituted a test of whether the United Nations and the international community could enforce the principles of international law.

36. On 5 May 2009, the delegation had met with Mr. Garoyian and with Mr. Averof Neophytou, Chairman of the Foreign Affairs Committee of the Parliament of Cyprus, both of whom had stressed their country's efforts to promote Israeli-Palestinian peace and to provide assistance to the Palestinian people. The House of Representatives had adopted a number of resolutions in support of the Palestinians, and had called for Israel to comply with United Nations resolutions.

37. *The Committee took note of the report of the Chairman.*

United Nations Asian and Pacific Meeting on the Question of Palestine, Jakarta, 8 and 9 June 2009, and the United Nations Public Forum in Support of the Palestinian People, Jakarta, 10 June 2009 (Working Paper No. 2)

38. **The Chairman** said that the theme of the meeting would be "Strengthening international consensus on the urgency of a two-State solution". The event was aimed at encouraging broad international action, including by Asian and Pacific States and societies, in support of Israeli-Palestinian peace. The meetings would consider ways in which Governments, intergovernmental organizations and civil society could help the parties to resume and strengthen political dialogue, and promote and apply the principles of international law.

39. **Mr. Natalegawa** (Indonesia) said that his country looked forward to a productive meeting.

40. **Mr. Ali** (Malaysia) wished to know at what level Indonesia would be represented at the meeting.

41. **The Chairman** said it was his understanding that the Minister for Foreign Affairs of Indonesia would chair the opening session.

42. The Committee would be represented by Mr. Moreno Fernández (Cuba), Mr. Natalegawa (Indonesia), Ms. Phommachanh (Lao People's Democratic Republic), Mr. Ali (Malaysia), Mr. Mansour (Observer for Palestine) and himself.

43. *The provisional programme of the United Nations Asian and Pacific Meeting on the Question of Palestine was adopted.*

United Nations International Meeting on the Question of Palestine, United Nations Office at Geneva, 22 and 23 July 2009 (Working Paper No. 3)

44. **The Chairman** said that the theme of the meeting would be "Responsibility of the international community to uphold international humanitarian law to ensure the protection of civilians — the case of Gaza". The Committee would be represented by the members of the Bureau.

45. **Mr. Mansour** (Observer for Palestine) said that it would be more accurate and inclusive to replace the phrase "the case of Gaza" with the phrase "in the Occupied Palestinian Territory in the wake of the war in Gaza".

46. *The provisional programme of the United Nations International Meeting on the Question of Palestine was adopted.*

The meeting rose at 4.40 p.m.